

SEATTLE OFFICE FOR CIVIL RIGHTS RESOLVES FAIR HOUSING CASES

by Barbara Osinski and Elliott Bronstein

The Seattle Office for Civil Rights (SOCR) recently settled a pair of housing discrimination cases, while a third case has moved to federal court.

Case # 1

SOCR settled a case through conciliation, after determining that there was reasonable cause on a charge of discrimination based on family status (the presence of children).

In her complaint, the Charging Party alleged that after her niece and nephew (ages 3 and 4 years old) visited her, the manager informed her that no children or pets are allowed in the building. The tenant received a letter from the manager confirming this policy, and that a violation could result in a release from her lease. She moved out of the building and filed a charge with SOCR.

In settlement,

- The Charging Party received \$5,000
- The manager agreed to attend Fair Housing Training
- Management promised to forward to SOCR four reports, within the next 2 years, regarding applicants with children who were accepted as tenants
- Management pledged that no policies or rules will be made or published prohibiting families with children
- The manager agreed to put up Fair Housing posters in the building.

Case # 2

A charging party was pleased to settle a case for an amount not to be disclosed. In her complaint, the Charging Party alleged that management was aware of her disability, but failed to accommodate her when renovating her apartment building - despite her requests for an accommodation. She contended that on several occasions she verbally requested an accommodation from the onsite manager. When the Respondent failed to provide the accommodation, the Charging Party had to go to the emergency room because her medical condition was exacerbated.

In settlement,

- The Charging Party received a substantial sum to compensate her for monetary and emotional damages
- Management agreed to attend Fair Housing Training
- Management promised to provide SOCR with a copy of the Reasonable Accommodations policy regarding tenants with disabilities within 30 days of the signed agreement.

Case # 3

The United States Department of Justice (DOJ) has commenced an action against the Seattle Housing Authority (SHA) on behalf of a former SOCR Charging Party. HUD referred the case to DOJ after SOCR found reasonable cause for violations of the Federal Fair Housing Act. In its suit (United States v. Seattle Housing Authority) the U. S. alleges that the Seattle Housing Authority discriminated against Marguerite Richard, a resident of SHA, by refusing to grant her a reasonable accommodation on account of her disability. Ms. Richard has asthma, and had notified SHA that the cigarette smoke from her neighbor's unit was entering her unit and affecting her health. Ms. Richard's requests for a transfer from her unit were repeatedly turned down by SHA.

HUD retained jurisdiction to investigate and resolve potential violations of the ADA and §504 of the Rehabilitation Act in this case.

Case Update

In our October 2001 issue, we reported on a lawsuit filed in Federal District Court in Oregon in which the NOW Legal Defense & Education Fund, Legal Aid Services of Oregon, Advocates for Victims of Domestic Violence, and the American Civil Liberties Union (ACLU) challenged a landlord's policy of "zero-tolerance" of violent conduct. The suit was brought on behalf of Tiffanie Alvera, a victim of domestic violence who faced eviction after she obtained a restraining order against her husband.

This case was settled with the property management company agreeing to stop applying its "zero-tolerance" policy to innocent victims of domestic violence; to participate in education about discrimination and fair housing laws; and to provide Ms. Alvera compensatory damages.

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